

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

UNITED STATES OF AMERICA, :
Plaintiff, : Case No. 3:09-cr-109
v. : JUDGE WALTER H. RICE
PIERRE COLQUITT, :
Defendant. :

DECISION AND ENTRY ADOPTING UNITED STATES MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATIONS (DOC. #156);
OVERRULING DEFENDANT'S OBJECTIONS THERETO (DOC. #157);
OVERRULING DEFENDANT'S MOTION FOR RECONSIDERATION ON
MOTION TO RECONSIDER (DOC. #155); CASE TO REMAIN
TERMINATED ON DOCKET

This matter is currently before the Court on Defendant Pierre Colquitt's "Motion for Reconsideration on the Motion to Reconsider." Doc. #155. United States Magistrate Judge Michael Merz issued a Report and Recommendations, Doc. #156, recommending that the Court summarily deny the motion because it "raises no new issues and fails to demonstrate any error in the Court's Decision and Entry." Doc. #156, PageID#1778.

Defendant has filed timely Objections to the Report and Recommendations. Doc. #157. He disagrees with the Magistrate Judge's statement that he raised no new issues in his Motion for Reconsideration. He now alleges that the

prosecutors, law enforcement agents, and this Court have all discriminated against him on the basis of race.

A motion to alter or amend the judgment, under Federal Rule of Civil Procedure 59(e), may not be used to raise arguments which could have, and should have, been raised before the judgment was issued. *Sault Ste. Marie Tribe of Chippewa Indians v. Engler*, 146 F.3d 367, 374 (6th Cir. 1998). Defendant cites no reason for failing to raise his allegation of race discrimination before judgment was entered. Accordingly, Defendant's new argument is barred. Nevertheless, the Court assures Defendant that its decision was based solely on the merits of his claims, and not on his race.

For the reasons set forth above, the Court ADOPTS the Magistrate Judge's Report and Recommendations, Doc. #156, and OVERRULES Defendant's Objections thereto, Doc. #157. Defendant's Motion for Reconsideration on the Motion to Reconsider, Doc. #155, is OVERRULED. The above-captioned case shall remain terminated on the Court's docket.

Date: January 4, 2017



WALTER H. RICE
UNITED STATES DISTRICT JUDGE